

**WALDO COUNTY COMMISSIONERS COURT SESSION
(SPECIAL SESSION)
MAY 4, 2010**

PRESENT: Commissioners Donald P. Berry, Sr., Amy R. Fowler and William D. Shorey. Also present was County Clerk Barbara L. Arseneau.

D. Berry called the meeting to order at 9:08 a.m.

SETTING FEES FOR REGISTRY OF DEEDS:

Present for this discussion was Register of Deeds Deloris Page. D. Page submitted a Schedule of Copy Fees and also a Reasonable Fees Matrix - LD 1554 Chapter 575 Draft. D. Page reviewed the matrix the justification behind the figures. She described that it takes time to retrieve documents, take some of the books apart, copying, putting the documents back, etc. The database needs to be maintained, as well, and that is also a cost.

Bulk sales are what ACS charges. Most of the registries that go with ACS will likely charge what ACS charges. There would be no profit for the County, and ACS would be handling it.

She noted that she does not charge extra to mail documents. She has never charged the postage.

When asked if all the registries were charging the same amount, D. Page responded that Washington County charges less and the larger counties charge more. Waldo is somewhere in the middle.

D. Berry said he had spoken with attorney James Katsiaficas this morning and Mr. Katsiaficas explained that both the .14 amortized infrastructure cost and the .09 Contract and Contractor costs could be factored into the bulk rate, making an additional .23 cents to the .045 cents being charged for the bulk rate. This would simply be to cover the cost of paying the contractor (ACS), but would likely cause more of a “fight.” He also said there had been discussion of a “fetching” fee of \$2.00 for the first page and \$1.00 for any subsequent pages. The “fetching” the document is the labor intensive part. This is completely justifiable as demonstrated by the matrix. A. Fowler asked how D. Page felt about this. D. Page agreed with the reasoning on these points, but hated to go up on the price of copies right now.

W. Shorey felt that it might be better to start out on the “high side” than the low side, but acknowledged that D. Page had more expertise and experience. He did not disagree with the Chairman’s reasoning, but looking at the pending lawsuit along with what the customers would need, he suggested going with the initial recommendations of the Register for a year to see how revenue, etc. was affected.

D. Berry said he had no problem with the Register’s recommendations. He agreed to support her recommendations and acknowledged the intense and time-consuming work had been involved with arriving at these figures. D. Page confirmed that the process had been agonizing, but was also eye-opening.

W. Shorey believed there may have been several counties that were overcharging in the past, but was basing his thoughts on the fact that the Register had spent untold hours sitting in legislature, etc.

D. Page said that along with these recommendations, this matrix did not include plan copies at \$5.00 and computer printouts are at \$1.00 per page (when the public uses the public computer and prints out pages themselves.) For one name, if there were three transactions or twenty-five, it just costs \$1.00. For example, if Commissioner Berry's name was entered, it would be \$1.00 per page.

****A. Fowler moved, W. Shorey seconded to accept the fee schedule as proposed by the Register of Deeds. Unanimous.**

The fee schedule is as follows:

**WALDO COUNTY REGISTER OF DEEDS
Schedule of Copy Fees
Pursuant to LD 1554 Chapter 575
Effective July 12, 2010**

14. Abstracts and copies. Making abstracts and copies from the records, a reasonable fee as determined by the county commissioners for each category of abstracts and copies, such as paper copies, attested copies, copies obtained online and bulk transfers of copies. In setting a reasonable fee for each category of abstracts and copies, the commissioners shall consider factors relating to the cost of producing and making copies available, which may include, but are not limited to: the cost of depleted supplies; records storage media costs; actual mailing and alternative delivery costs or other transmitting costs; amortized infrastructure costs; any direct equipment operating and maintenance costs; costs associated with media processing time; personnel costs, including actual costs paid to private contractors for copying services; contract and contractor costs for database maintenance and for online provision and bulk transfer of copies in a manner that protects the security and integrity of registry documents; and a reasonable rate for the time a computer server is dedicated to fulfilling the request; and

Paper Copies:	\$1.00 per page
Faxed Copies:	\$2.00 per page
Mailed Copies:	\$1.00 per page
Attested Copies:	\$1.00 additional per document
Plan Copies:	\$5.00 each
Computer Printouts	\$1.00 per page
Computer Index Printout	\$1.00 each name

Copies sold online:	
Subscription	\$35.00 per month
	.50 per name
	.25 view/print
Non-subscribers	\$3.00 per document

Bulk Sales:	
ACS pricing:	.02 per document (indexing)
	.025 per image

The Commissioners thanked D. Page for all her hard work on this matter.

CONTRACT – EATON PEABODY:

****W. Shorey moved, A. Fowler seconded approving the fee agreement and advance payment with Eaton Peabody as proposed for representing the County of Waldo regarding the siting of a new emergency management building. Unanimous.**

EXECUTIVE SESSION:

****A. Fowler moved, W. Shorey seconded to enter Executive Session according to M.R.S.A. Title 1 § 405 (C) for a legal matter related to use of real property at 9:41 a.m. Unanimous.**

(The Commissioners took a brief recess at 11:00 a.m., while still in Executive Session.)

****A. Fowler moved, W. Shorey seconded to come out of Executive Session at 11:14 a.m. Unanimous.** No action was taken by the Commissioners.

WALDO COUNTY GARDEN PROGRAM:

Present with the County Commissioners was Volunteers of America Program Director Michael Tausek and Community Resource Coordinator William Browning and Chief Deputy Robert Keating.

W. Shorey reported that he has had conversations with the Sheriff about how wonderful it would be if inmates could be involved with a project that gave back to the community. Initially, a County garden seemed difficult to do. Now a piece of land has been found, a conversation has been held with the owner, and W. Shorey then spoke with Mr. Browning at the Sheriff's request. The old Nickerson Farm in Swanville has about five acres that are available. This is good land and the owners are extremely interested in supporting this County Garden Program. The five acres would be easy to separate from the rest of the farm property. Mr. Nickerson has even offered to do some volunteer work in relation to the project. He is willing to lease it for \$100.00 per acre per year, for a total of five years to start, which would be \$500.00 annually. \$2,500.00 could be paid up front, and then it would be all leased for the full five years. When considering how to get this started and what would be involved, W. Shorey spoke with Randy Doak, who has worked as an advisor with many farmers, and who also owns a large diesel tiller. Mr. Doak is available a few hours a week at \$20.00 or so per hour and is interested in working on the land. If this moves forward as expected, ground will be broken and plowing starting on Friday, as Mr. Nickerson has given permission to start the project before all paperwork is in place. W. Shorey described how the planting might be done with plastic to cut down on weeds, etc. The first year, there will be a lot of weeds. During another discussion with the Sheriff, inmates may be available for a few hours each Saturday during the growing season to work on that garden. W. Shorey asked those present, since they run the programs, if inmates might be available during the week as well. The goal is to start with an acre with general produce such as carrots, tomatoes, beets, green beans, etc. A typical yield would not be expected the first year, but then gradually the rest of the acres would be worked and planted. The produce would be donated to local food pantries and such. The goal is to have approximately one acre ready to plant by June 1st. Johnny Seeds has indicated that they are interested in participating by donating seeds. The challenges are:

1. Purchasing a rototiller
2. Building a storage shed for tools, fertilizer, etc.

3. Setting up a portable toilet on the site. He anticipated the cost to start would be roughly \$10,000.00 to \$11,000.00.

W. Shorey explained that the Sheriff has set aside \$15,000.00 from Corrections funds for this purpose. He opened the floor to any questions at this point.

M. Tausek noted that the fiscal part was up to the Captain and the Sheriff. He had asked if money was requested from VOA and was told no. In terms of the actual planning of it, he found what works best in Community Corrections is as much certainty as possible. Going day-to-day or week-to-week is not the best – long term is a much better approach, especially in terms of accountability and safety. He would like to know who would be volunteering to work on this project so there could be some training in interaction with the Re-entry Center residents, etc. The more the schedule could be tightened up, the better. The program is increasing at the Re-entry center, so he was envisioning smaller pockets of time unless a larger time was designated. Staffing would need to be considered, so that all are comfortable with the arrangements. He believed this was workable, but emphasized that a schedule must be laid out. W. Shorey explained that it would likely be at least a month before anyone from the Re-entry Center would need to be involved. M. Tausek said he believed “quick in-and-outs” would not work well but possibly two-hour pockets of time several times a week might work. W. Shorey suggested two hours per day; three days per week. M. Tausek explained that as more residents are coming in, the entire system is being fine-tuned. The labor will be available – it will just be a matter of structuring this. M. Tausek said he preferred to work on a year-to-year schedule, and if not, a month-to-month schedule. The substance abuse person is interested in using this plan as horticultural therapy, so this person might be on site at times using this as therapy. W. Shorey stated that the residents would not be sent out without gardening experts on the site, as the Commissioners recognized that a number of the residents may not have any gardening experience.

After more discussion, the following needed to be considered in order to ensure the success of the project:

1. Possible use of the pickup truck shared by Corrections and Sheriff to transport tools, and possible use of the Corrections vans to transfer the people
2. Deer and other vermin control
3. The storage building, portable toilet, tools and equipment, etc. will need to be secure
4. The property will have to be monitored for possible contraband being left for residents, etc.
5. Exploration of whether uniforms would be required for staff and whether or not VOA employees would have to be deputized
6. Proper supervision of residents
7. People with expertise on site during work
8. Volunteers, including Commissioner Shorey, to serve as back-up during times when residents are not available
9. Setting up a meeting for all involved to become acquainted and to discuss the project
10. Keep in mind that this is a great opportunity for enhanced community service and public relations
11. Consider enlisting the assistance of the University of Maine Cooperative Extension and master gardeners
12. Check to see if permits are required prior to erecting any buildings
13. All produce will be donated – no business competition with local farmers
14. Training and instruction on use of appropriate pesticides
15. Establish a planting schedule and provide to VOA

16. Keep in mind that residents will be in a positive environment with a positive influence; preferably with older, more mature adults
17. Draft notes of all meetings regarding the Garden Program should be sent to the Sheriff to keep him informed
18. Keep in mind “fringe benefit” effect; people utilizing the food pantries could have access to healthy food, those children might be better fed and pay attention better in school, etc.

****W. Shorey moved, A. Fowler seconded that the County proceed with the Garden Project as presented.**

Discussion: The Commissioners thanked W. Shorey for all his legwork and felt that this was a really positive move forward, and that the support from the re-entry center was excellent. **Unanimous.**

MAINE SHERIFF’S PROPOSAL:

A. Fowler reported briefly on the recent proposal by the Maine Sheriff’s Association regarding maintaining some control over counties’ Corrections Fund balances at the end of the fiscal year. She stated that this proposal shows unification between the counties, etc. The Sheriffs support this 100%.

HEALTH INSURANCE DISCUSSION:

1. M. Wadsworth informed the Commissioners that Health Insurance Administrator Malcolm Ulmer would be coming during the May 11, 2010 to discuss Meritain’s handling of Emergency Room Visits, especially with one particular employee who has had a particularly difficult time being covered by the plan. With the last network, a doctor’s note had been sufficient for processing and payment. Now that did not appear to be the case. The Commissioners noted that part of the problem for this particular case was that the proper co-pays had not been paid and the employee waited too long to deal with the issue. The Commissioners acknowledged that the general issue involving emergency room visits because there are no walk-in clinics for after-hours treatment of urgent health problems needed to be resolved by the Commissioners with direction from them to M. Ulmer. The Commissioners would need to make a decision so M. Ulmer could move forward. In the meantime, the Commissioners addressed the issue for the one individual employee as follows:

****A. Fowler moved, D. Berry voted to pay this medical bill this one time. Passed by two. (Commissioner Shorey was absent at that point.)**

2. B. Arseneau and M. Wadsworth reviewed things they learned at a seminar they attended on Friday April 30, 2010 at the Regency Hotel in Portland. This seminar included a presentation by BernsteinShur Attorney Steven Gerlach regarding the impact of the new Health Insurance Law change. M. Wadsworth shared the three main points from that presentation, which were:

- A. This is going to hurt! It will be a lot of work and cost money.
- B. It is a 2000-page piece of legislation with lots of moving parts. Be patient.
- C. Understand how it works. Identify and minimize impact. Look at opportunities.

M. Wadsworth strongly recommended that the Attorney Gerlach meet with the Commissioners, etc. and Malcolm Ulmer so that all could gain a better understanding of what this means for the County. M. Wadsworth informed the Commissioners that some things go into effect as early as June 23, 2010. D. Berry wondered if it was worth speaking with the attorney prior to legislation meeting again in November,

since things might possibly change with the health care situation. The Commissioners wished to think about this further. There was brief discussion on how the new law would likely impact small businesses.

3. The Meritain Health, Inc. Monthly Aggregate Accommodation Agreement and Amendment to Administrative Services Agreement were briefly discussed. The Commissioners had received these in advance and had reviewed them. After brief discussion, the Commissioners voted as follows:

****A. Fowler moved, W. Shorey seconded to accept the Amendment to Administrative Services Agreement and the Monthly Aggregate Accommodation Agreement for Meritain Health as presented, both effective January 1, 2010. Unanimous.**

EXECUTIVE SESSION:

****A. Fowler moved, W. Shorey seconded to enter Executive Session as permitted by M.R.S.A. Title 1 § 405 (C) for a legal matter to continue discussion pertaining to consideration of use of real property at 12:34 p.m. Unanimous.**

****A. Fowler moved, W. Shorey seconded exiting Executive Session at 1:33 p.m. Unanimous.**
No action was taken.

DATE SENSITIVE CORRESPONDENCE:

1. B. Arseneau informed the Commissioners that she is working with Waldo Selectmen Kathy Littlefield on setting a date for Alan Hinsey of KWRED to make a presentation to the Selectmen's Association regarding the upcoming changes in service districts and exploring how counties might serve as a vehicle in receiving and distributing federal and state funding.

2. Communications Director Owen Smith requested confirmation to hire Richard Crossman of Frankfort as a new part-time Dispatcher on May 3, 2010 at a rate of \$12.58 per hour until he has completed all certifications as required by the State and finished the formal training program at the Waldo County Regional Communications Center (WCRCC).

****A. Fowler moved, W. Shorey seconded to approve the hire of Richard Crossman as part-time Dispatcher effective May 3, 2010 at \$12.58 per hour. Unanimous.**

3. Communications Director Owen Smith also requested confirmation to hire Stephanie Gracie as part-time Dispatcher effective May 3, 2010 at the rate of \$12.58 per hour until she has completed all certifications as required by the State and finished the formal training program at WCRCC.

****A. Fowler moved, W. Shorey seconded to approve the hire of Stephanie Gracie as part-time Dispatcher effective May 3, 2010 at \$12.58 per hour. Unanimous.**

EXECUTIVE SESSION:

****A. Fowler moved, W. Shorey seconded to enter Executive Session according to M.R.S.A. Title 1 § 405 (A) for a personnel matter to discuss a possible position change at 11:55 a.m. Unanimous.**

****A. Fowler moved, W. Shorey seconded to come out of Executive Session at 12:08 p.m. Unanimous.** No action was taken.

**** W. Shorey moved, A. Fowler seconded to adjourn the court session at 12:08 p.m. Unanimous.**

Respectfully submitted by Barbara L. Arseneau
Waldo County Clerk